

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WISCONSIN**

In the Matter of:

MAPLE LEAF CHEESE COOPERATIVE,

Debtor.

In Bankruptcy No.

20-13006-cjf

Chapter 11

MAPLE LEAF CHEESE COOPERATIVE,

Plaintiffs,

Adversary Proceeding No. 21-00039

v.

MAPLE LEAF CHEESEMAKERS, INC.,

Defendant.

UNOPPOSED MOTION TO AMEND SCHEDULING ORDER

The Defendant, Maple Leaf Cheesemakers, Inc. (“MLC”) by their counsel, Jane F. (Ginger) Zimmerman, Scott G. Salemi and Kristin K. Beilke of Murphy Desmond S.C., pursuant to Fed. R. Bankr. P. 7016, 2026 and Fed. R. Civ. P. 16(b)(4) and 26, hereby moves the Court to modify the time for MLC to disclose its expert reports to Maple Leaf Cheese Cooperative (“Coop”) by three (3) days, to August 11, 2022, and in support thereof states as follows:

1. On July 18, 2022, this court granted the Coop’s request to adjourn the trial dates in this matter to October 2022.
2. At the July 18, 2022 hearing, this Court also ordered MLC to provide their expert reports within three weeks, or August 8, 2022. MLC has seven expert witnesses that may require expert reports.

3. Since July 18, 2022, MLC's counsel has worked diligently with their named experts to prepare the disclosures. Attorney Scott Salemi was the main point of contact for all of the expert witnesses.

4. Attorney Scott Salemi has a two-day trial in Rock County on August 8-9, 2022. Unfortunately, there were some last-minute developments in the Rock County case that required Attorney Salemi to dedicate additional time, which he had originally allotted and needed to complete the expert disclosures. Such developments, one of which was additional document production on August 5, 2022, were not foreseen.

5. Despite working throughout the weekend in an attempt to get the expert reports ready for disclosure, they are not ready to produce.

6. MLC seeks an extension to August 11, 2022, three days, to allow Attorney Salemi to complete his Rock County trial, and finalize the expert reports the next day for disclosure.

7. Pursuant to Fed. R. Civ. P. 16(b)(4), as incorporated by Fed. R. Bankr. P. 7016(a), a scheduling order may be modified for good cause and with the judge's consent.

8. Counsel's schedule, and unexpected developments in the Rock County case within weeks of trial, constitute good cause for this brief extension. *See Trustmark Ins. Co. v. General & Cologne Life Re of Am.*, 424 F.3d 542, 553 (7th Cir. 2005).

9. I am authorized to state Coop's counsel does not oppose the extension.

10. The three-day delay is of no consequence to discovery, as pursuant to this Court's order, expert discovery is stayed through September 1, 2022. The three-day extension will not result in prejudice to the Coop.

WHEREFORE, Defendant respectfully requests the Court extend its deadline for disclosure of its expert reports to the Coop through and including August 11, 2022, and any other relief this Court deems just and proper.

Dated this 8th day of August, 2022.

MURPHY DESMOND S.C.

Attorneys for the Defendant, Maple Leaf
Cheesemakers, Inc.

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